

**REMARKS**

Applicant has carefully reviewed and considered the current Office Action and the reference(s) cited therein. Claims 13, 32, and 46 are herein amended; No claims are herein canceled; and no claims are herein added. As a result, Claims 13, 14, 32, 33, and 36-51 remain pending in this application.

**Rejection of Claims 13, 14, 32, 33, and 36-45  
under 35 U.S.C. §101**

The Examiner has rejected Claims 13, 14, 32, 33, and 36-45 under 35 U.S.C. §101, alleging that the claims are not statutory. In support of this rejection, the Examiner states the following:

Referring to exemplary claim 13, a claim is statutory if it produces a "concrete, tangible, and useful result" See *State Street*, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. As such an embodiment of the claim is that if there is no content associated with the page, then the claim does nothing. In this sense the result of the claim is the mere determination of whether or not a cached hit occurred, which does not provide a tangible or useful result. Correction is required.

Applicants respectfully traverse this rejection.

Applicant contends that the Examiner has misinterpreted Claim 13. In the present Claim 13, the receiving step, determining step, inserting step, and transmitting step are all performed in every embodiment of the claim. Please note, that the determining step determines "that there is content associated with the web page in the local cache." Thus, the claim does not read on a situation where there is no content associated with the page in the local cache. The Applicant respectfully request that this rejection be withdrawn.

**Rejection of Claims 13, 14, 32, 33, and 36-51**  
**under 35 U.S.C. §103**

The Examiner has rejected Claims 13, 14, 32, 33, and 36-51 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,249,804 issued to Lam ("Lam") in view of U.S. Patent Publication No. 2002/0038350 issued to Lambert ("Lambert"). Applicant respectfully traverses this rejection.

In support of this rejection, the Examiner states the following:

Referring to claim 13, Lam discloses a computer program product with a client with a local cache (the Office construes the term local cache as a cache which is relatively closer to the client than the server) which, in response to receiving client input for content of a web page will determine if there is a cache hit, then determine if the content should be retrieved from the server (i.e. hit with an invalid respond) and transmit the request to a server (col. 3, lines 5-10).

Applicants note here that neither Lam nor Lambert teach, suggest, or otherwise make obvious, the determining step or the inserting step that is required by the present claims to be performed at the client. Having the determining step and the inserting step performed at the client allows the client to make a determination as to whether or not to insert the unique identifier in response to specific user events such as when there is a "refresh" or a "back," for example. Lam, to the contrary, teaches at column 2, lines 2-5, that "[i]f there is a hit and the cache is valid (e.g., not expired), the page is fetched from the cache, so that it is displayed almost instantly, and the user is spared from downloading the page through the slow communication link." This is exactly the purpose of a cache that is well known to one of ordinary skill in the art. That is, to store information in a local high-speed

storage mechanism (i.e., the cache) to avoid retrieving information over relative slower communication links such as links over the Web, links to hard drives, and even links to random access memory or RAM. Lam teaches that a client can have a cache, an intermediary server can have a cache, and that an origin server can have a cache. However, declaring that a intermediary server's cache is a cache that is local to a client is inappropriate as this would defeat the intended purpose of the cache, which is to prevent the communication over the slow communication link that connects the client and the intermediary server. Thus, Lam does not teach or suggest performing, at the client, the determining step or the inserting step required by the present claims. Nor does Lambert teach or suggest performing, at the client, the determining step or the inserting step required by the present claims. Even if the determining step were performed at an intermediary server (as Examiner alleges is taught in Lam) or at an Internet Service Provider ("ISP") (as in Lambert), then the intermediary server or the ISP would have to be able to monitor the client computer for the occurrence of user events (e.g., "refresh" and "back") that require the insertion of the unique identifier. The present claims provide for the client to make the determination that the local cache should be bypassed and then bypass the cache by inserting a unique identifier.

Neither Lam nor Lambert, taken alone or in combination, teach, suggest, or otherwise make obvious the limitations as required by the present claims. Accordingly, the Applicant respectfully request that this rejection be withdrawn.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. If the Examiner believes that a telephone conversation with the Applicant's representative would facilitate prosecution of this application in any way, the Examiner is cordially invited to telephone the undersigned at (508) 616-9660.

Respectfully submitted,

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